Amendments to the Claims:

This listing of claims will replace all prior versions, and listing, of claims in the application:

1-14. (canceled)

15. (withdrawn) The polypeptide resulting from the transformation or transfection of a host cell with a recombinant expression vector of Claim 12.

16. (canceled)

17. (withdrawn) A ligand that binds to a polypeptide of Claim 15.

18. (withdrawn) The ligand as claimed in Claim 17, wherein the ligand is an antibody or antibody binding fragment.

19. (withdrawn) Probes and primers comprising a fragment of the nucleic acid molecule as claimed in Claim 1, wherein said fragment is hybridisable under stringent conditions to a native insecticidal gene sequence.

20. (withdrawn) Probes and primers comprising a fragment of the nucleic acid molecule as claimed in Claim 19, wherein said probes and primers enable the structure and function of the gene to be determined and homologs of the gene to be obtained from bacteria other than *Serratia sp.*

21. (withdrawn) The polypeptide as claimed in Claim 15, wherein the polypeptide has insecticidal activity encoded by the nucleic acid molecule of claim 1, or a functional fragment, neutral mutation or homolog thereof.

22. (withdrawn) The polypeptide having insecticidal activity as claimed in Claim 21, wherein the polypeptide comprises the amino acid is encoded by a nucleotide sequence of SEQ ID NO: 1 or a functional fragment, neutral mutation or homolog thereof of such a nucleotide sequence.

23. (withdrawn) The polypeptide having insecticidal activity as claimed in Claim 21 wherein the polypeptide is encoded by nucleotides 32-5112 of SEQ ID NO: 1.

24. (withdrawn) The polypeptide having insecticidal activity as claimed in Claim 21, wherein the polypeptide comprises at least one amino acid sequence of SEQ ID NO: 2; SEQ ID NO: 3; SEQ ID NO: 4; SEQ ID NO: 5 or SEQ ID NO: 6.

25. (withdrawn) The polypeptide having insecticidal activity as claimed in Claim 24, wherein the polypeptide preferably comprises amino acid sequence SEQ ID NO: 4; SEQ ID NO: 5 and SEQ ID NO: 6.

26. (withdrawn) The polypeptide having insecticidal activity as claimed in Claim 24, wherein the polypeptide preferably comprises all of SEQ ID NOs: 2-6.

27. (withdrawn) The polypeptide having insecticidal activity as claimed in Claim 21, wherein the polypeptide is obtained by expression of a DNA sequence coding therefore in a host cell or organism.

28. (withdrawn) The polypeptide having insecticidal activity as claimed in Claim 27, wherein the polypeptide comprises the amino acid is encoded by a nucleotide sequence of SEQ ID NO:1 linked to at least one further amino acid sequence encoding an insecticidal protein.

29. (withdrawn) A The polypeptide having insecticidal activity as claimed in Claim 28, wherein the at least one further amino acid sequence includes the amino acid sequence which codes for *Bacillus* delta endo toxins, vegatative insecticidal proteins (vips), cholesterol oxidases, *Clostridium bifermentens* mosquitocidal toxins and/or *Photorhabadus luminescens* toxins.

30. (withdrawn) The polypeptide is encoded by a nucleotide having insecticidal activity as claimed in Claim 28, wherein the polypeptides comprise at least 50%, preferably 60%, more preferably 70% and most preferably 90-95% or greater identity to SEQ ID NO: 1.

31. (withdrawn) The polypeptide is encoded by a nucleotide having insecticidal activity as claimed in Claim 21, wherein the polypeptide is produced by expression of a vector comprising the nucleic acid of SEQ ID No: 1 or a functional fragment, neutral mutation or homolog thereof, in a suitable host cell.

32. (withdrawn) The insecticidal composition comprising at least the polypeptide as claimed in Claim 21, and an agriculturally acceptable carrier.

33. (withdrawn) The insecticidal composition as claimed in Claim 32, wherein more than one polypeptide is included in the composition.

34. (withdrawn) The insecticidal composition of Claim 32, wherein the composition further comprises additional pesticides.

35. (withdrawn) The insecticidal composition as claimed in Claim 34, wherein the composition comprises other known insecticidally active agents, including *Bacillus* delta endo toxins, vegatative vegetative insecticidal proteins (vips), cholesterol oxidases, *Clostridium bifermentens* mosquitocidal toxins and/or *Photorhabadus luminescens* toxins.

36. (withdrawn) A method of combating pests, said method comprising applying to a locus, host and/or the pest, an effective amount of the polypeptide as claimed in Claim 21, that has functional insecticidal activity against said pest.

37. (withdrawn) A method of inducing amber disease or like condition in insects comprising delivery to an insect an effective amount of the polypeptide as claimed in Claim 21, that has functional insecticidal activity against said insect.

38. (withdrawn) A method of inducing amber disease or like condition in insects as claimed in Claim 37, comprising delivery to an insect an effective amount of the polypeptide wherein the insect is selected from the order comprising Coleoptera.

39. (withdrawn) A method of inducing amber disease or like condition in insects as claimed in Claim 38, comprising delivery to an insect an effective amount of the polypeptide wherein the insect includes *Costelytra zealandica* (Coleoptera: Scarabaeidae).

40. (withdrawn) A method of delivering the insecticidal polypeptide to induce amber disease or like condition in insects including delivery of the insecticidal polypeptide as claimed in Claim 39, to the insect by a method selected from the group consisting of presenting the insecticidal polypeptide orally as a solid bait matrix, as a sprayable insecticide sprayed onto a substrate upon which the insect feeds, applied directly to the soil subsurface or as a drench or is expressed in an transgenic plant, bacterium, virus or fungus upon which the insect feeds.

41. (canceled) A transgenic plant, bacterium, virus or fungus, incorporating in its genome, a nucleic acid molecule as claimed in claim 1, for providing the plant, bacterium, virus or fungus with an ability to express an effective amount of an insecticidal polypeptide.

42. (canceled) The purified and isolated nucleic acid molecule of Claim 5, wherein the sequence of nucleotides encodes at least one of the *Bacillus delta* endo toxins, vegetative insecticidal proteins (VIPS), cholesterol oxidases, *Clostridium bifermentens* mosquitocidal toxins or *Photorhabadus luminescens* toxins.

43. (canceled) The purified and isolated nucleic acid molecule of Claim 6, wherein the sequence of nucleotides encodes at least one of the *Bacillus delta* endo toxins, vegetative insecticidal proteins (VIPS), cholesterol oxidases, *Clostridium bifermentens* mosquitocidal toxins or *Photorhabadus luminescens* toxins.

44. (withdrawn) The insecticidal composition of Claim 33, wherein the composition further comprises additional pesticides.

45. (withdrawn) The insecticidal composition of Claim 34, wherein an additional pesticide comprises a compound that has herbicidal, fungicidal, insecticidal or nematicidal activity.

46. (withdrawn) The insecticidal composition of Claim 44, wherein an additional pesticide comprises a compound that has herbicidal, fungicidal, insecticidal or nematicidal activity.

47. (withdrawn) A polypeptide resulting form the transformation or transfection of a host cell with a recombinant expression vector of Claim 13.

48. (withdrawn) A polypeptide resulting form the transformation or transfection of a host cell with a recombinant expression vector of Claim 14.

49. (new) An isolated nucleic acid molecule comprising a nucleotide sequence of SEQ ID NO: 1.

50. (new) An isolated nucleic acid molecule comprising a nucleic acid sequence having at least 70% sequence identity to SEQ ID NO: 1 and wherein said nucleic acid molecule encodes a polypeptide that has the same insecticidal activity of a polypeptide encoded by SEQ ID NO:1.

51. (new) A fragment of the isolated nucleic acid molecule of Claim 49, wherein the encoded protein of said fragment has insecticidal activity.

52. (new) An isolated nucleic acid molecule comprising one or more of the nucleotide sequences 2411-9547, 9589-13883 or 14546-17467 of SEQ ID NO: 1.

53. (new) The isolated nucleic acid molecule of Claim 52, comprising all of nucleotide sequences 2411-9547, 9598-13884 and 14546-17467 of SEQ ID NO: 1.

54. (new) The isolated nucleic acid molecule of Claim 53, comprising the nucleotide sequence 1995-18937 of SEQ ID NO: 1.

55. (new) An isolated nucleic acid molecule encoding a polypeptide comprising at least one amino acid sequence selected from a group consisting of SEQ ID NOs: 2, 3, 4, 5 and 6.

56. (new) The isolated nucleic acid molecule of any one of Claims 49, 51, 52 and 54, operably linked to at least one further nucleotide sequence which encodes an insecticidal protein.

57. (new) The isolated nucleic acid molecule of Claim 56, wherein the further nucleotide sequence encodes at least one toxin selected from a group consisting of *Bacillus* delta endo toxins,

vegetative insecticidal proteins (vips), cholesterol oxidases, *Clostridium bifermentens* mosquitocidal toxins and *Photorhabadus luminescens* toxins.

58. (new) An isolated nucleic acid molecule having at least 70% sequence identity to the sequence of the isolated nucleic acid molecule of Claim 52, 53, or 54.

59. (new) The isolated nucleic acid molecule of Claims 49, 50, or 51, wherein the nucleic acid molecule is isolated from *Serratia entomophila* or *Serratia proteamaculans* strains of bacteria.

60. (new) A recombinant expression vector containing the nucleic acid molecule of Claims 49, 50, or 51.

61. (new) The recombinant expression vector of Claim 60, wherein the vector is a natural or artificial plasmid vector.

62. (new) A host transformed with the recombinant expression vector of Claim 61.

63. (new) The recombinant expression vector of Claim 62, wherein said vector is pUC 19, pProEX HT, pBR322, pACYC184, or pLAFR3.

64. (new) The method of producing a polypeptide resulting from transfection or transformation of a host cell with a recombinant expression vector of Claim 60, comprising the steps of:
(a) culturing a host cell which has been transformed or transfected with said vector of Claim 60 to express the encoded polypeptide or peptide; and
(b) recovering the expressed polypeptide or peptide.

65. (new) A transgenic plant, bacterium, virus or fungus, incorporating in its genome, a nucleic acid molecule of Claim 49, Claim 50 or Claim 51, for providing the plant, bacterium, virus or fungus with an ability to express an effective amount of an insecticidal polypeptide.